



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

MAY 30 2012

By E-mail and Mail
In Reply Refer To: CWA-309(a)-12-003

Andrew M. Kenefick
Senior Legal Counsel
Waste Management
720 Fourth Avenue, Suite 400
Kirkland, WA 98033

Dana Viola
Office of the Corporation Counsel
City and County of Honolulu
530 South King Street
Honolulu, HI 96813

Re: CWA-309(a)-12-003

Dear Mr. Kenefick and Ms. Viola:

Enclosed please find the Amended Finding of Violation and Order (Amended Order) executed in this matter by U.S.EPA Region IX (EPA). This Amended Order is immediately effective and replaces the previously issued Order dated November 29, 2011.

In issuing this Amended Order, EPA has used its best efforts to ensure that its Findings of Violation and Order for Compliance are appropriate. The amendments made to this Order, in part, reflect EPA's efforts to address concerns with the previously issued Order identified by Waste Management. However, we recognize that you may have additional information you wish to have us consider regarding the terms of the Amended Order or matters related to its implementation. If so, we invite you to provide such information to us for our consideration. To the extent we determine that further revisions to the Order are warranted, we may modify the terms of CWA-309(a)-12-003 based on information you submit and information available to EPA.

Also enclosed, please find EPA's comments on Waste Management's most recent submission of its Interim/Supplemental Storm Water Monitoring Plan. Once you have reviewed our comments, we are prepared to discuss any remaining issues regarding the Plan at your convenience.

If you have any questions or concerns regarding the Amended Order, you may contact me at (415) 972-3895 or barroll.hugh@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'H Barroll', written in a cursive style.

Hugh Barroll
Assistant Regional Counsel

cc: Ted Bohlen – State of Hawaii
Kimberly Leue Bick – Irell & Manella